

MAINE STATE LEGISLATURE

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PUBLIC DOCUMENTS

OF THE

STATE OF MAINE

BEING THE

REPORTS

OF THE VARIOUS

**PUBLIC OFFICERS
DEPARTMENTS AND
INSTITUTIONS**

FOR THE TWO YEARS

JULY 1, 1926 - JUNE 30, 1928

PUBLIC DOCUMENTS, 1926-28

(Explanatory Note)

Three reports in this volume cover periods in variance with the given biennium. They are as follows:

1. The report of the Attorney General covers the period from 1924 to 1928.
2. The report of the Bangor State Hospital covers the period from 1919 to 1928.
3. The report of the department of Inland Fisheries and Game covers the fiscal year ending June 30, 1928. No printed report was made for the fiscal year ending in 1927.

STATE OF MAINE

REPORT

OF THE

ATTORNEY-GENERAL

FOR THE TWO YEARS ENDING

JUNE 30, 1926

PRESS OF MERRILL & WEBBER CO.
AUBURN, MAINE

city or town appropriating the money are advertised, or if in the general advertisement the name of the town which has appropriated money and its resources, advantages and attractions are given, it is the opinion of this department that such advertising would come within the purview of the statute.

Very respectfully,

RAYMOND FELLOWS,
Attorney General.

March 26, 1925.

Hon. Ralph O. Brewster, Governor of Maine, Augusta, Maine.

MY DEAR GOVERNOR BREWSTER: Section 20 of Chapter 45, Revised Statutes, provides as follows:

"The officers ordering the commitment of a person unable to pay for his support or becoming unable to pay for his support after commitment, or their successors, or any officer with like power to commit, shall in writing certify that fact to the trustees and that he has no relatives liable and of sufficient ability to pay for his support, and such certificate shall be sufficient evidence in the first instance to charge the town where the insane resided or was found at the time of his arrest for the expenses of his examination and commitment, and to charge the state for the expenses of his support in the hospital, and the treasurer of the hospital shall charge to the state the reasonable expense of his support which shall be paid from the state treasury upon itemized bills therefor audited by the state auditor and approved by the governor and council."

Section 21 of the same chapter provides that the trustees of the hospital may, in their discretion, investigate or cause to be investigated, allegations contained in any certificate provided for in Section 20 and if such investigation discloses the fact that any person was or may be liable for the support of the insane person mentioned in any such certificate, the trustees shall collect, by action in the name of the State if necessary, all sums which have been paid by the State to the hospital for board of such insane person, from persons lawfully liable as aforesaid to pay for the support of such insane person. The foregoing is with reference to the support of persons committed charged to the State.

Section 28 of the same chapter has reference to the liability

of towns where the insane person resided or was found, and is as follows:

"The certificate of commitment to the hospital after a legal examination, is sufficient evidence, in the first instance, to charge the town where the insane resided, or was found at the time of his arrest, for the expenses of his examination and commitment to the hospital; and when his friends or others file a bond with the treasurer of the hospital in which he is confined the state shall not be liable for his support, unless new action is had by reason of the inability of the patient or his friends longer to support him; and such action may be had in the same manner, and before the same tribunal, as if he had never been admitted to the hospital."

Section 29 of the same chapter provides that bills chargeable to the state shall be filed with the Governor and Council, and provides a remedy for the towns.

Section 30 of the same chapter, provides for the recovery by the state from persons legally liable for their support.

Yours very truly,

SANFORD L. FOGG,

Deputy Attorney General.

July 13, 1925.

Hon. Ralph O. Brewster, Governor of Maine, Augusta, Maine.

DEAR GOVERNOR BREWSTER:

In re Appointment of Commission to confer with United States Battlefield Commission, regarding State of Maine Land and Fort at Petersburg, Virginia.

I have examined the law with reference to this fort and find that by Chapter 174 of the Resolves of 1893 the sum of \$600., was appropriated to be paid out of any money in the state treasury to the treasurer of the First Maine Heavy Artillery Association, the same to be used for the purchase of land and the erection of a suitable memorial tablet on the field of their fatal and now famous charge on 18th, June, 1864, near Petersburg, Virginia.

I also find that Chapter 45 of the Resolves of 1895 provides that the Governor and Council are hereby authorized to accept for the State of Maine from the First Maine Heavy Artillery Association or from Horace H. Shaw, holding title in trust for them, a gift to the State of a lot of five acres of land situated